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65961 7590 02/06/2009

HARNESS DICKEY & PIERCE, PLC  
P.O. BOX 828  
BLOOMFIELD HILLS, MI 48303

EXAMINER

RANGREJ, SHEETAL

ART UNIT

PAPER NUMBER

3686

DATE MAILED: 02/06/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,929	09/30/2003	Rodney B. Kendrick	7784-000652	1510

TITLE OF INVENTION: SYSTEM OF CHARGING FOR AUTOMOBILE INSURANCE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	05/06/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

## HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to:** Mail **Mail Stop ISSUE FEE**  
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**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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**P.O. BOX 828**  
**BLOOMFIELD HILLS, MI 48303**

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/674,929 09/30/2003

Rodney B. Kendrick

7784-000652

5150

**TITLE OF INVENTION: SYSTEM OF CHARGING FOR AUTOMOBILE INSURANCE**

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional

NO

\$1510

\$300

\$0

\$1810

05/06/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
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RANGREI, SHEETAL

3686

705-004000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB-122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB-47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

1

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

2

3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

**PLEASE NOTE:** Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee  
☐ Publication Fee (No small entity discount permitted)  
☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

**NOTE:** The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.**

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65961	7590	02/06/2009	EXAMINER	
RANGREJ, SHEETAL				
ART UNIT			PAPER NUMBER	
3686				

DATE MAILED: 02/06/2009

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1013 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1013 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

# Notice of Allowability

## Application No.

10/674,929

## Examiner

SHEETAL R. RANGREJ

## Applicant(s)

KENDRICK, RODNEY B.

## Art Unit

3686

### - The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/23/2008.
2. ☒ The allowed claim(s) is/are 1,4,5,9,10,14-16,19,20,23,24,34 and 38.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

## **DETAILED ACTION**

### ***Examiner's Amendment***

1. An examiner's amendment to the record appears below. Examiner's changes are shown as underlined limitations. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Joshua B. Dobrowsky on January 15, 2008.

The application has been amended as follows:

### ***In the Claims***

2. Claim 1: A method of calculating automobile insurance for a vehicle of a customer of a contracting company, the computer-implemented method comprising:

- acquiring location information of the vehicle with a location system on the vehicle;
- acquiring vehicle performance information from a computation device on a vehicle;
- deriving a first cost increment with said computation device by evaluating at least said location information, said vehicle performance information and a pricing database, wherein said deriving of said first cost increment is performed on the vehicle;
- connecting a billing transmission system on the vehicle with the contracting company;
- transmitting said first cost increment with said billing transmission system to the contracting company, wherein said first cost increment is devoid of said location information and said vehicle performance information;

-restricting access to said location information and said vehicle performance information with said billing transmission system by at least encrypting said information and said vehicle performance information;

-accessing said location information and said vehicle performance information with said billing transmission system by at least decrypting said location information and said vehicle performance information with an access key, wherein said access key consists of a first passkey retained by the customer and a second passkey retained by a contracting company;

-providing access with a computing device for the customer outside of the vehicle to said first cost increment prior to the contracting company billing the customer, wherein said providing access to said first cost increment is adapted to permit the customer to alter driving habits to adjust a second cost increment

-transmitting said second cost increment with said billing transmission system to the contracting company, wherein said second cost increment is devoid of location information and said vehicle performance information; and

~~-determining~~ billing for the customer from the contracting company based on at least said first and said second cost increments from said billing transmission system.

3. Claims 4, 5, 10, 15: insert --The computer-implemented method—before “of calculating automobile information insurance”.

4. Claim 9: The computer-implemented method of calculating automobile insurance of Claim 1, wherein said location system includes at least one of a global positioning satellite

receiver to determine location and a geographical database configured to be resident on said computation device.

5. Claim 14: The computer-implemented method of calculating automobile insurance of Claim 1, wherein said providing access with said computing device for the customer to said first cost increment includes providing access with at least one of an internet web site interface, a phone interface, a customer service interface, and combinations thereof.

6. Claim 23: The apparatus of claim 16, wherein said computation device includes at least one of a global positioning satellite receiver to determine location and a geographical database configured to be resident on said computation device.

7. Claim 30: A computer-implemented method of determining a cost of insuring a motor vehicle, comprising:

- using a monitoring apparatus located on-board the motor vehicle to at least assist in monitoring an operational factor associated with the vehicle in real time;
- recording information with a computation device relating to said operational factor;
- determining a first incremental insurance cost with said computation device using said recorded information for the motor vehicle related to a given incremental time period;
- transmitting said first incremental insurance cost to the contracting company with said billing transmission system, wherein said first incremental insurance cost is devoid of said location information and said operational factor;
- restricting access to said operational factor and said vehicle performance information with said billing transmission system by at least encrypting said operational factor;

-accessing said operational factor and said billing transmission system by at least decrypting said operational factor with an access key, wherein said access key consists of a first passkey retained by the customer and a second passkey retained by a contracting company;

-providing access with a computing device for the customer outside of the vehicle to said first incremental insurance cost prior to the contracting company billing the customer, wherein said providing access to said first incremental insurance cost is adapted to permit the customer to alter driving habits to adjust a second incremental insurance cost;

-transmitting said second incremental insurance cost with said billing transmission system to the contracting company, wherein said second incremental insurance cost is devoid of operational factor; and

-determining billing for the customer from the contracting company based on at least said first and said second incremental insurance costs from said billing transmission system.

8. Claim 31: The computer-implemented method of claim 30, further comprising determining a value for insuring the motor vehicle based on said first and said second incremental insurance costs for said given incremental time period from said billing transmission system.

9. Claims 32 and 34: insert --The computer-implemented method-- before “of calculating automobile information insurance”.

10. Claim 33: The computer-implemented method of claim 30, wherein monitoring said operational factor with said computation device of the motor vehicle comprises monitoring at



least one of: -a speed of the motor vehicle; a geographic location of said motor vehicle; an acceleration of the motor vehicle; and a deceleration of the motor.

*Reasons for Allowance*

1. The following is an examiner's statement of reasons for allowance:

**Regarding claim 1**

The prior art of record neither anticipate nor fairly and reasonably teaches a method of calculating automobile insurance for a vehicle of a customer of a contracting company, the computer-implemented method comprising:

- acquiring location information of the vehicle with a location system on the vehicle;
- acquiring vehicle performance information from a computation device on a vehicle;
- deriving a first cost increment with said computation device by evaluating at least said location information, said vehicle performance information and a pricing database, wherein said deriving of said first cost increment is performed on the vehicle;
- connecting a billing transmission system on the vehicle with the contracting company;
- transmitting said first cost increment with said billing transmission system to the contracting company, wherein said first cost increment is devoid of said location information and said vehicle performance information;
- restricting access to said location information and said vehicle performance information with said billing transmission system by at least encrypting said information and said vehicle performance information;

-accessing said location information and said vehicle performance information with said billing transmission system by at least decrypting said location information and said vehicle performance information with an access key, wherein said access key consists of a first passkey retained by the customer and a second passkey retained by a contracting company;

-providing access with a computing device for the customer outside of the vehicle to said first cost increment prior to the contracting company billing the customer, wherein said providing access to said first cost increment is adapted to permit the customer to alter driving habits to adjust a second cost increment

-transmitting said second cost increment with said billing transmission system to the contracting company, wherein said second cost increment is devoid of location information and said vehicle performance information; and

-determining billing for the customer from the contracting company based on at least said first and said second cost increments from said billing transmission system.

**Regarding claim 16**

The prior art of record neither anticipate nor fairly and reasonably teaches a vehicle insurance apparatus that is installed in a vehicle and communicates with a contracting company that is remote to the vehicle and provides a billing to a customer, the vehicle insurance computation apparatus comprising:

-a computation device configured to acquire location information of the vehicle and derive a cost increment by evaluating at least said location information and a pricing database; and

-a transmitting device to send said cost increment to the contracting company, wherein said cost

increment essentially consists of monetary information,

wherein said access to said performance information and said location information of the vehicle is restricted by at least encrypting said location information and said vehicle performance information,

wherein access is granted by at least decrypting said location information and said vehicle performance information with an access key,

wherein said computation device is configured to providing access for the customer outside of the vehicle to said first cost increment prior to the billing of the customer by the contracting company,

wherein said access for the customer outside of the vehicle to said first cost increment is adapted to permit the customer to alter driving habits to adjust a second cost increment,

wherein said transmitting device sends said second cost increment to the contracting company,

wherein said second cost increment is devoid of said location information and said vehicle performance information, and

wherein said sending of said second cost increment to the contracting company permits the contracting company to prepare the billing for the customer based on at least said first and said second cost increments.

**Regarding claim 30**

The prior art of record neither anticipate nor fairly and reasonably teaches A computer-implemented method of determining a cost of insuring a motor vehicle, comprising:

- using a monitoring apparatus located on-board the motor vehicle to at least assist in monitoring an operational factor associated with the vehicle in real time;
- recording information with a computation device relating to said operational factor;
- determining a first incremental insurance cost with said computation device using said recorded information for the motor vehicle related to a given incremental time period;
- transmitting said first incremental insurance cost to the contracting company with said billing transmission system, wherein said first incremental insurance cost is devoid of said location information and said operational factor;
- restricting access to said operational factor and said vehicle performance information with said billing transmission system by at least encrypting said operational factor;
- accessing said operational factor and said billing transmission system by at least decrypting said operational factor with an access key, wherein said access key consists of a first passkey retained by the customer and a second passkey retained by a contracting company;
- providing access with a computing device for the customer outside of the vehicle to said first incremental insurance cost prior to the contracting company billing the customer, wherein said providing access to said first incremental insurance cost is adapted to permit the customer to alter driving habits to adjust a second incremental insurance cost;
- transmitting said second incremental insurance cost with said billing transmission system to the contracting company, wherein said second incremental insurance cost is devoid of operational factor; and
- determining billing for the customer from the contracting company based on at least said first

and said second incremental insurance costs from said billing transmission system.

2. The most remarkable prior art of record is as follows:

-Nakagawa et al. (U.S. Publication No. 2002/0128882);

-Wright (U.S. Patent No. 6,052,466); and

-McMillan et al. (U.S. Patent No. 5,797,134).

3. Nakagawa, Wright, and McMillan do not teach:

1. transmitting said first cost increment with said billing transmission system to the contracting company, wherein said first cost increment is devoid of said location information and said vehicle performance information;

2. restricting access to said location information and said vehicle performance information with said billing transmission system by at least encrypting said information and said vehicle performance information;

3. accessing said location information and said vehicle performance information with said billing transmission system by at least decrypting said location information and said vehicle performance information with an access key, wherein said access key consists of a first passkey retained by the customer and a second passkey retained by a contracting company;

4. transmitting said second cost increment with said billing transmission system to the contracting company, wherein said second cost increment is devoid of location information and said vehicle performance information; and

8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

*Conclusion*

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHEETAL R. RANGREJ whose telephone number is (571) 270-1368. The examiner can normally be reached on M-F 8:30-5:30.

10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry O'Connor can be reached on (571) 272-6787. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

/SRR/  
Examiner, Art Unit 3686  
January 21, 2009

/Gerald J. O'Connor/  
Supervisory Patent Examiner  
Group Art Unit 3686